



Chrisman
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19 / REPLY
BRIEF
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

William Chrisman

Serial No.: 09/832,141

Filed: April 9, 2001

For: SCENTED BOWLING BALLS AND
METHODS

Confirmation No.: 8520

Examiner: W. Pierce

Group Art Unit: 3711

Attorney Docket No.: 1858-4826US

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REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Board of Patent Appeals and Interferences

Sir:

This Reply Brief, which is in reply to the Examiner's Answer mailed by the Patent Office
on April 17, 2003, is submitted in TRIPLICATE. 37 C.F.R. § 1.193(b).

Noted
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This Reply Brief addresses the assertions that have been made in the Examiner's Answer as follows:

(8) ARGUMENT

C. Allowability of Claims Over Cited Art

The Usual and Customary Meaning of "Two-Part Resin"

It has been asserted that the term "two-part resin" recited in the claims of the above-referenced application includes thermoset resins, such as that taught in Shinbanai. It is respectfully submitted that, in view of the usual and customary meaning of the term "two-part resin," thermoset resins are not "two-part resins."

As evidenced by the enclosed copies of various web pages, the term "two-part resin" is a term of art that applies to compounds that are formed by mixing two parts—a resin and a catalyst, or "hardener"—to form a cured compound. The as-filed specification of the above-referenced application provides examples of such compounds, including the polyol-isocyanate mixture described in paragraphs [0011] and [0012] thereof.

Further, as indicated by the web pages bearing the heading "Our Products – CBT Resin: One/Two Part Systems" and "One and Two-Part Resin Systems for Electronic & Industrial Potting Applications," one-part systems are well-known in the art to be systems in which the resin and catalyst are premixed (*i.e.*, which do not require mixing to polymerize, or cure, the same). The thermoset resins that are taught in Shinbanai do not require mixing and, thus, would be considered by those of ordinary skill in the art to be one-part resins.

In view of the foregoing, it is again submitted that the teachings of Shinbanai, which are limited to one-part thermoset and thermoplastic resins with fragrance therein, do not apply to "two-part resins." Therefore, contrary to the assertions that have been made in the Examiner's Answer, the asserted combinations of Shinbanai with Coffey and Anderson do not support a *prima facie* case of obviousness against any of the claims that are pending in the above-referenced application.

Patentability of Claims 1-3, 5, 7-29, and 31-33 Under 35 U.S.C. § 103(a)

With respect to the subject matter recited in independent claim 1, Shinbanai does not teach or suggest a compound or article of manufacture, let alone a bowling ball, that includes a two-part resin and a fragrance which has been at least partially dissolved within at least a portion of the two-part resin.

The teachings of Coffey are likewise limited to forming scented jewelry articles from fluoropolymers (*e.g.*, TEFLON®), which, as is readily understood by those of ordinary skill in the art, are not “two-part resins.” Further, Coffey fails to mention that the compound described therein could be used to manufacture a bowling ball.

Accordingly, it is respectfully submitted that the asserted combination of Shinbanai and Coffey does not teach or suggest each and every element of independent claim 1, or of claims 2, 3, 5, 7, and 8, which depend therefrom.

Claims 11-13, 18, and 19 are drawn to methods for manufacturing bowling balls. The methods of claims 11-13, 18, and 19 include providing a polyol (*i.e.*, a first part of a two-part polyurethane resin), blending at least one fragrance directly into the polyol, introducing the mixture into the cavity of a mold, and curing the polyol.

Again, Shinbanai and Coffey both lack any teaching or suggestion of a fabrication method that includes providing a polyol and blending at least one fragrance into the polyol, let alone conducting these acts to fabricate a bowling ball.

Therefore, it is respectfully submitted that the asserted combination of Shinbanai and Coffey does not teach or suggest each and every element of any of claims 11-13, 18, or 19.

The subject matter recited in independent claim 20 is much like that recited in claims 11 and 19, with the additional requirement that a polymerization catalyst (*i.e.*, second part of a two-part polyurethane resin) be introduced into a cavity of a mold into which a mixture that includes a polyol (*i.e.*, a first part of the two-part polyurethane resin) and a fragrance is also introduced.

To repeat, neither Shinbanai nor Coffey teaches or suggests addition of a fragrance to a two-part resin, or adding a fragrance to a two-part resin during the manufacture of a bowling ball.

Thus, it is respectfully submitted that Shinbanai and Coffey do not teach or suggest each and every element of independent claim 20, or of any of claims 21-26 which depend therefrom.

Independent claim 27 is allowable over Shinbanai and Coffey since neither of these references, taken either separately or together, teaches or suggests an article of manufacture that includes a substantially rigid, substantially nonporous mass comprising a two-part resin and a fragrance at least partially dissolved within at least a portion of the two-part resin. Claims 29 and 31 are allowable, among other reasons, as depending either directly or indirectly from claim 27.

The assertions that have been made in the Examiner's Answer with respect to the lack of motivation for one of ordinary skill in the art to combine the teachings of Shinbanai with those of Coffey or Anderson do not remedy the deficiencies of Shinbanai that are noted herein.

For these reasons, as well as the additional reasons that have been set forth in the Brief on Appeal, it is respectfully submitted that a *prima facie* case of obviousness has not been established against any of claims 1-3, 5, 7-29, or 31-33, as is required to maintain a claim rejection under 35 U.S.C. § 103(a).

Accordingly, reversal of the 35 U.S.C. § 103(a) rejections of these claims is respectfully requested.

(10) CONCLUSION

It is again respectfully submitted that each of claims 1-3, 5, 7-29, and 31-33 is allowable over the various combinations of Shinbanai, Coffey, and Anderson that have been asserted by the Examiner.

Accordingly, reversal of the rejections of claims 1-3, 5, 7-29, and 31-33 is respectfully solicited, as is the allowance of each of these claims.

Respectfully submitted,



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Enclosures: Supplemental Information Disclosure Statement and references.

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